

IN THE UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

	X	
	:	
In re	:	Chapter 9
	:	
City of Detroit, Michigan,	:	Case No. 13-53846
	:	
Debtor.	:	Hon. Thomas J. Tucker
	:	
	X	

Stipulation To Entry Of Order Withdrawing Claim No. 2044

Carmen Mendez-Velez (the "Claimant") and the City of Detroit, Michigan (the "Debtor"), by their undersigned counsel, state as follows in support of entry of the *Order Withdrawing Claim No. 2044* attached as Exhibit 1.

1. On April 1, 2013, Claimant filed a lawsuit in Wayne County Circuit Court, Case No. 13-004349-NI (the "Lawsuit") which sought money damages for an injury caused by an alleged defective highway in Detroit, Michigan.
2. On February 20, 2014, Claimant filed Claim No. 2044, seeking \$25,000 to \$250,000 for the injury at issue in the Lawsuit.
3. On June 19, 2014, Debtor filed a Stay Modification Notice (Docket No. 5456) in order for Claim No. 2044 to be liquidated in a non-bankruptcy forum,

as provided by the ADR Procedures established by the ADR Order (Docket No. 2032).

4. By a decision dated March 3, 2015, Docket No. 317276, the Michigan Court of Appeals remanded Claimant's Lawsuit to the Wayne County Circuit Court for entry of summary disposition in favor of Debtor.

5. On remand, the Wayne County Circuit Court granted summary disposition in favor of the Debtor in Case No. 13-004349-NI, thereby liquidating Claim No. 2044 at zero dollars (\$0).

6. With Claim No. 2044 having been liquidated at zero dollars, Claimant has agreed to withdraw the claim.

Wherefore, the parties request that the Court enter an order in the form attached hereto as Exhibit 1 approving the stipulation.

City of Detroit Law Department <u>By: /s/ Mary Beth Cobbs</u> Mary Beth Cobbs P-40080 James D. Nosedo P-52563 Coleman A. Young Municipal Center 2 Woodward Ave, 5 th Floor Detroit, MI 48226 313-237-3052 / 3057 gaabe@detroitmi.gov nosej@detroitmi.gov Counsel to Debtor, City of Detroit	Levine Benjamin, P.C. <u>By: /s/ Greg M. Liepshutz with consent</u> Greg M. Liepshutz P-37573 Levine & Benjamin, P.C. Attorneys for Claimant 100 Galleria Officentre, Suite 411 Southfield, MI 48034 248-352-5700 gliepshutz@levinebenjamin.com Counsel to Carmen Mendez-Velez
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Dated: November 9, 2015

Exhibit 1: Proposed Order

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Order Approving Stipulation To Withdraw Claim No. 2044

This matter coming before the Court on the *Stipulation To Entry of Order Withdrawing Claim No. 2044*, the parties having agreed that the claim has been liquidated at zero dollars (\$0) by a final judgment entered in a non-bankruptcy forum, and the Court being otherwise fully informed:

IT IS HEREBY ORDERED THAT:

Claim No. 2044 filed by Carmen Mendez-Velez is withdrawn and disallowed in its entirety.